

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

In re:

HERITAGE FUNDING GROUP, INC.

CASE NO. 07-492

Debtor.

NEW DEAL AUTO ACCEPTANCE, LLC,

Plaintiff,

v.

ADVERSARY NO.: 07-302

RICHARD HOUGHTON, et al.,

Defendants.

JUDGMENT

This proceeding came before the Court upon Motion for Summary Judgment filed by Defendants Jon Fortenberry and Jon Fortenberry Enterprises and Cross Motion for Summary Judgment filed by Plaintiff. Upon a separate Order Denying Motion for Summary Judgment filed by Defendants Jon Fortenberry and Jon Fortenberry Enterprises and Granting Cross Motion for Summary Judgment filed by Plaintiff, it is

ADJUDGED:

1. The sum of \$28,162.71 of commission payments by Heritage to Fortenberry and Fortenberry Enterprises within the four year period preceding the Petition Date are avoidable as fraudulent transfers pursuant to 11 U.S.C. §§ 544 and 548 and § 726 Florida Statutes.

2. Judgment is entered in favor of Plaintiff, New Deal Auto Acceptance,

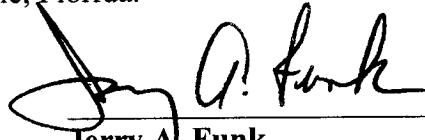
"RECORDED IN THE US BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF FLORIDA,
JACKSONVILLE DIVISION

J.B. VOL. 53, NO. 7316

160

LLC and against Defendants, Jon Fortenberry and Jon Fortenberry Enterprises, in the amount of \$28,162.71 on Counts LIII and LIV of the Complaint for which let execution issue.

DATED August 20, 2009 in Jacksonville, Florida.



Jerry A. Funk
United States Bankruptcy Judge

Copies to:

Mark S. Mitchell, Attorney for Plaintiff
Lance P. Cohen, Attorney for Jon Fortenberry and Fortenberry Enterprises